



LIVING THE LAW OF ARMED CONFLICT

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As you train and prepare to be ready at all times, don't neglect an important part of mission readiness - knowing the law of armed conflict (LOAC). Air Force members are required by Air Force instruction (AFI 51-401, *Training and Reporting to Ensure Compliance with the Law of Armed Conflict*) to know and follow the rules of LOAC; failure to do so can result in punitive action under the UCMJ. In a real-world conflict, LOAC can apply to almost every phase of military operations. This handout is meant to give a brief overview of LOAC and remind you of your responsibility to know LOAC.

LOAC consists of all international law binding on the United States or United States citizens concerning the conduct of hostilities during armed conflict. More specifically, LOAC applies to any armed conflict between the United States and other foreign countries, regardless of whether we have officially declared war.

In an armed conflict there are two distinct categories of people. First, there are combatants. As Air Force members that includes most of us; those who take direct part in the conflict. Prisoners of war (POWs), the wounded, and the sick are combatants who, because of their physical status, have been converted to noncombatants. Noncombatant is the second category. Noncombatants are usually doctors, chaplains, and civilians who don't take part in the conflict. (Guerilla fighters convert their status of noncombatants to combatants because of their choice to engage in war activity.)

In any sort of warfare, four general LOAC principles always apply. These principles are: (1) the principle of military necessity; (2) the principle of proportionality; (3) the principle of humanity; and (4) the principle of chivalry. The principle of military necessity means we are only going to do what is militarily necessary to achieve our objective; this mandates that as we plan our warfare tactics we try to limit collateral damage as much as possible by only attacking lawful targets. For instance, a lawful target would be an ammunition factory, however an unlawful target would be a hospital or other medical facility. This mode of thinking, naturally leads into another LOAC principle: the principle of proportionality. In order to produce an acceptable tactic or action, a balancing test is often applied to the proposed action. This principle means that if the action produces a military advantage that outweighs its consequential damages, it is more

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likely to be used by us in warfare. For example, we look at the desired military result we stand to gain, and determine if such an advantage outweighs the amount of civilian casualties likely to occur.

The principle of humanity means that we're not going to make the enemy suffer unnecessarily. Our goal is to achieve our objective as quickly and efficiently as possible with a minimum amount of human suffering. And lastly, there is the principle of chivalry. Know the saying, "All is fair in love and war?" Well, that saying is true if it means that fairness and respect are given to your enemy whatever his or her belief. The principle of chivalry reminds the combatant that even in war, s/he should try to be as civilized as possible.

Knowing and understanding the above-mentioned principles will guide and assist the member if s/he finds herself or himself in a hostile, armed conflict environment. Remember the obligation to report any LOAC violations up through your chain of command.

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